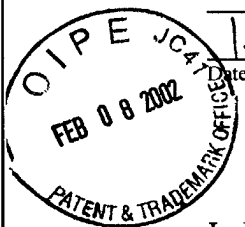


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In Re Application of:
Daryn KENNY et al.

Serial No.: 09/872,493

Group Art Unit: 1645

Filing Date: June 1, 2001

Examiner: Unassigned

Title: HIGHLY SENSITIVE GENE DETECTION AND LOCALIZATION USING *IN SITU* BRANCHED-DNA HYBRIDIZATION

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND
CERTIFICATION UNDER 37 CFR § 1.97(e)**

Commissioner for Patents
Washington, DC 20231

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Sir:

This is a Supplemental Information Disclosure Statement submitted for the Examiner's consideration. Applicants respectfully request that the Examiner review and make of record the references identified below.

The references listed below were cited in an International (PCT) Search Report dated December 21, 2001, for the PCT application corresponding to the above-identified U.S. patent application. A copy of the Search Report, including an indication of the purported relevance of the cited references, is enclosed. Copies of the references are also submitted herewith. The Examiner is requested to make the references of official record in the application.

A PTO-1449 form listing the references accompanies this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record. The references are as follows:

| U.S. PATENT DOCUMENT | | |
|----------------------|------------|----------------|
| PATENT NO. | ISSUE DATE | PATENTEE |
| 5,780,610 | 7/14/98 | Collins et al. |

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| FOREIGN PATENT DOCUMENT | | |
|-------------------------|------------------|---------|
| DOCUMENT NO. | PUBLICATION DATE | COUNTRY |
| WO 99/11813 | 3/11/99 | PCT |

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| OTHER DOCUMENTS |
|--|
| Antao et al. (1999), "In Situ Hybridization Using the bDNA Technology," <i>Techniques in Quantification and Localization of Gene Expression</i> , pp. 81-93. |
| Cao et al. (1998), "A Sensitive, Rapid, and Non-Isotopic In Situ bDNA Assay for Detection of hnRNPA2 mRNA," <i>Proceedings of the American Association for Cancer Research Annual 39</i> :335, Abstract #2287. |
| Freeman et al. (1999), "The Maturation of Nucleic Acid Technologies," <i>Trends in Biotechnology 17</i> (2):44-45, Elsevier, Amsterdam, NL. |
| Nolte (1998), "Branched DNA Signal Amplification for Direct Quantification of Nucleic Acid Sequences in Clinical Specimens," <i>Advances in Clinical Chemistry 33</i> :201-235. |
| Player et al. (2001), "Single-Copy Gene Detection Using Branched DNA (bDNA) In Situ Hybridization," <i>The Journal of Histochemistry & Cytochemistry 49</i> (S):603-611. |

This Supplemental Information Disclosure Statement is not intended as a representation that additional information material to the examination of this application does not exist or that any of the above references constitutes prior art to the present application within the meaning of 35 USC § 102.

As this Supplemental Information Disclosure Statement is being filed within three months of the date of the International Search Report (i.e., December 21, 2001), no fee is required at this time. If, for any reason, a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor.

The undersigned hereby certifies that each item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (37 CFR § 1.97(e)(1)).

The person making this certification is the practitioner who signs below on the basis of the information in the practitioner's file.

Respectfully submitted,

1/15/02
Date

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| SUBSTITUTE FORM PTO-1449 (MODIFIED) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b)) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.: 1300-2329 | SERIAL NO.: 09/872,493 |
| | APPLICANT: Daryn KENNY et al. | | |
| | FILING DATE: June 1, 2001 | GROUP: 1645 | |

| U.S. PATENT DOCUMENT | | | | | | | |
|----------------------|----------|---------------|------------|----------------|-------|----------|----------------------------|
| EXAMINER INITIALS | CITE NO. | PATENT NUMBER | ISSUE DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | AL | 5,780,610 | 7/14/98 | Collins et al. | | | |

| FOREIGN PATENT DOCUMENT | | | | | | | | |
|-------------------------|----------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
| EXAMINER INITIALS | CITE NO. | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | AM | WO 99/11813 | 3/11/99 | PCT | | | | |

| OTHER DOCUMENT — NONPATENT LITERATURE DOCUMENT | | |
|--|----------|---|
| EXAMINER INITIALS | CITE NO. | INCLUDE NAME OF AUTHOR, TITLE OF ARTICLE (IF APPROPRIATE), TITLE OF PUBLICATION, DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, AND PLACE OF PUBLICATION |
| | AN | Antao et al. (1999), "In Situ Hybridization Using the bDNA Technology," <i>Techniques in Quantification and Localization of Gene Expression</i> , pp. 81-93. |
| | AO | Cao et al. (1998), "A Sensitive, Rapid, and Non-Isotopic In Situ bDNA Assay for Detection of hnRNPA2 mRNA," <i>Proceedings of the American Association for Cancer Research Annual</i> 39:335, Abstract #2287. |
| | AP | Freeman et al. (1999), "The Maturation of Nucleic Acid Technologies," <i>Trends in Biotechnology</i> 17(2):44-45, Elsevier, Amsterdam, NL. |
| | AQ | Nolte (1998), "Branched DNA Signal Amplification for Direct Quantification of Nucleic Acid Sequences in Clinical Specimens," <i>Advances in Clinical Chemistry</i> 33:201-235. |
| | AR | Player et al. (2001), "Single-Copy Gene Detection Using Branched DNA (bDNA) In Situ Hybridization," <i>The Journal of Histochemistry & Cytochemistry</i> 49(S):603-611. |

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|--|------------------|
| EXAMINER SIGNATURE: | DATE CONSIDERED: |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |